

THURSDAY, MARCH 8, 1990

SEVENTY-FIFTH LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Tom Seals, Central Church of Christ, Nashville, Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callcott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Cain was excused for out-of-town business.

The Speaker announced that Representative Robinson (Washington) was excused to take care of business at home.

REPORT OF COMMITTEE ON CALENDAR AND RULES

March 8, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Monday, March 12, 1990: House Bill(s) No(s). 2557, 2299, 1592, 2547, 2566, 174, 1556, 2114, 2200, 2546, 2309, 2243,

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1585 and 2041; also, House Joint Resolution(s) No(s). 600.

We have also set the following bills on the Regular Calendar for Wednesday, March 14, 1990: House Bill(s) No(s). 1827, 1749, 1811, 1840 and 1684.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 12, 1990: House Bill(s) No(s). 1602, 2349, 2326, 1633, 1764 and 1842; also, Senate Joint Resolution(s) No(s). 476.

PHILLIPS, Chairman.

REGULAR CALENDAR

House Bill No. 1868 -- Sentencing -- Revises Criminal Sentencing Reform Act of 1989. Amends Chapter 591, Section 113, Public Acts of 1989. CAVEAT: The body of this bill (Section 16) purports to amend TCA 39-16-609; however, the caption does not. Amends TCA, Titles 39, 40, 53, 55.

Further consideration of House Bill No. 1868, previously considered on March 1, 1990, at which time the bill was reset to the calendar for March 8, 1990.

Rep. Burnett moved that House Bill No. 1868 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1868 by deleting the language in SECTION 16 and substituting the following:

SECTION 16. Tennessee Code Annotated, Section 39-16-609 is amended by adding the following new subsection:

(f) Any sentence received for a violation of this section may be ordered to be served consecutively to any sentence received for the offense for which the defendant failed to appear.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1868 by deleting subsection (b) of Section 40-2-101 of SECTION 17 and substituting instead the following:

(b) Prosecution for a felony offense shall begin within:

- (1) Fifteen years for a Class A felony;
- (2) Eight years for a Class B felony;
- (3) Four years for a Class C or Class D felony;
- (4) Two years for a Class E felony.

FURTHER AMEND by deleting the language in Section 40-35-119 of SECTION 23 and substituting the following:

Section 40-35-119. Penalty for Prior Offenses Not Classified.

Any prior felony offense committed between July 1, 1982, and November 1, 1989, which has not been classified pursuant to Section 40-35-118 or otherwise, shall be a Class E felony.

On motion, Amendment No. 2 was adopted.

Rep. Burnett moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1868 be deleting SECTIONS 13 and 14 in their entirety and substituting instead the following:

SECTION 13. Tennessee Code Annotated, Section 53-11-401(b), is amended by deleting the current subsection (b) and substituting in its place the following new subsection:

(b) A violation of this section is a Class D felony.

SECTION 14. Tennessee Code Annotated, Section 53-11-402(b) is amended by deleting the current subsection (b) and substituting in its place the following new subsection:

(b) A violation of this section is a Class E felony.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Burnett moved that House Bill No. 1868, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 79 |
| Noes. | 16 |

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Representatives voting aye were: Anderson, Austin, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Mr. Speaker Murray -- 79.

Representatives voting no were: Armstrong, Bell, Chiles, Crain, Duer, Harrill, Haun, Henry (Roane), Holcomb, Hubbard, Kent, Moody, Phillips, Scruggs, Wix, Yelton -- 16.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 1868 and have this statement entered in the Journal.

Rep. Maria Peroulas

REGULAR CALENDAR, CONTINUED

House Bill No. 2357 -- Physicians and Surgeons -- Removes special exemption for medical students attending Universidad Autonoma de Guadalajara from application requirements to practice medicine or surgery. Amends TCA, Title 63, Ch. 6.

Rep. Chiles moved that House Bill No. 2357 be reset two weeks to the Calendar for Thursday, March 22, 1990, which motion prevailed.

*House Bill No. 1607 -- Sunset Laws -- Extends termination date of Tennessee state veterans' homes board. Amends TCA, Title 4, Ch. 29; Title 58, Ch. 7.

Rep. Garrett moved that House Bill No. 1607 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1607 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

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SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Tennessee state veterans' homes board,
created by § 58-7-102;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1607, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 92 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

***House Bill No. 1611 -- Sunset Laws --** Extends termination date of Tennessee film, entertainment, and music commission. Amends TCA, Title 4, Chs. 3, 29; Title 7, Ch. 59.

Rep. Garrett moved that House Bill No. 1611 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 1620 -- Sunset Laws --** Extends termination date of the Tennessee life and health insurance guaranty association. Amends TCA, Title 4, Ch. 29; Title 56, Chs. 7, 9, 12, 17; Title 67, Ch. 4; Title 68, Ch. 53.

Rep. Garrett moved that House Bill No. 1620 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1620 by deleting Section 2 in its entirety and by substituting a new section thereto, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Tennessee life and health insurance guaranty association, created by § 56-12-205;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1620, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Coffey, Cole, Coflier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gala, Garrett, Givens, Good, Gunnels, Haltzman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinlon, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 1624 -- Sunset Laws -- Extends termination date of the alcoholic beverage commission. Amends TCA, Title 4, Chs. 5, 29; Title 7, Ch. 3; Title 8, Ch. 50; Title 12, Ch. 2; Title 39, Ch. 6; Title 47, Ch. 18; Title 53, Ch. 1; Title 57; Title 60, Ch. 4; Title 62, Ch. 33; Title 67, Ch. 4.

Rep. Garrett moved that House Bill No. 1624 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1624 by deleting Section 2 in its entirety and by substituting instead the following new section:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Alcoholic beverage commission, created by § 57-1-102;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1624, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|---------------|----|
| Ayes. | 96 |
| Noes. | 1 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representatives voting no were: Chiles -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 1868 and have this statement entered in the Journal.

Rep. W. Townsend Anderson

REGULAR CALENDAR, CONTINUED

*House Bill No. 1625 -- Sunset Laws -- Extends termination date of ladies' hermitage association, board of trustees. Amends TCA, Title 1, Ch. 2; Title 4, Chs. 13, 29.

Rep. Garrett moved that House Bill No. 1625 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1625 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Ladies' hermitage association, board of trustees, created by § 4-13-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1625, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 1663 -- Sunset Laws -- Extends termination date of Sam Davis memorial association, board of trustees. Amends TCA, Title 4, Chs. 13, 29.

Rep. Garrett moved that House Bill No. 1663 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1663 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Sam Davis memorial association, board of trustees, created by § 4-13-301;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1663, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill

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No. 2148, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2148 -- Banks and Financial Institutions --
Authorizes interstate banking; removes regional limitation. Amends
TCA, Title 45, Ch. 12.

RULES SUSPENDED

Rep. Rhinehart moved to suspend Rule No. 59 so that the House might take up the message on Senate Bill No. 2148 out of order, which motion prevailed.

MOTION TO RECONSIDER

Rep. Rhinehart moved to lift from the table the motion to reconsider Senate Bill No. 2148, which motion prevailed.

Rep. Rhinehart moved to reconsider action in passing Senate Bill No. 2148, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendments Nos. 2, as amended, and 3. On motion Amendments Nos. 2, as amended, and 3 were withdrawn.

Rep. Rhinehart moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 2148 by deleting Sections 3, 7, and 10 in their entirety and by substituting instead the following:

Section 3. Tennessee Code Annotated, Section 45-12-103, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Except as otherwise expressly permitted by federal law, an out-of-state bank holding company or a Tennessee bank holding company may acquire a Tennessee bank holding company or a Tennessee bank only with the approval of the commissioner.

(b) An out-of-state bank holding company or a Tennessee bank holding company seeking to acquire a Tennessee bank holding company or a Tennessee bank shall submit to the commissioner an application for approval. The commissioner shall only approve such application if:

(1) the commissioner determines such application does not violate Tennessee Code Annotated, Section 45-2-1405;

(2) the commissioner determines that Tennessee bank sought to be acquired has been in existence and continuously operating for more than five (5) years or, in the case of a Tennessee bank holding company which is sought to be acquired, all of its Tennessee bank subsidiaries have been in existence and continuously operating for five (5) years; provided that the foregoing limitation shall not apply if the Tennessee bank sought to be acquired or a Tennessee bank subsidiary of a Tennessee bank holding company sought to be acquired was organized solely for the purpose of facilitating the acquisition of a Tennessee bank that has been in existence and continuously operating for more than five (5) years;

(3) the commissioner determines that the acquisition would not have the effect of substantially lessening competition in the relevant geographic market in Tennessee that is not clearly outweighed by other factors which advance the public interests of the State of Tennessee;

(4) the commissioner determines that the proposed acquisition would not be detrimental to the applicant or the safety and soundness of the Tennessee bank or Tennessee bank holding company sought to be acquired;

(5) the commissioner determines that the applicant, its directors and officers and, if applicable, any proposed new directors and officers of the Tennessee bank or Tennessee bank holding company sought to be acquired are qualified by character, experience and financial responsibility to control and operate a Tennessee bank.

(c) In the case of the application of an out-of-state bank holding company, the commissioner shall only approve the application if in addition to the findings required by subsection (b).

(1) the commissioner determines the laws of the state in which the applicant has its principal place of business permit Tennessee bank holding companies to acquire banks and bank holding companies in that state;

(2) the commissioner determines that the laws of the state in which the applicant has its principal place of business permit the applicant to be acquired by the Tennessee bank holding company or Tennessee bank sought to be acquired. For purposes of this subdivision, a Tennessee bank shall be treated as if it were a Tennessee bank holding company;

(3) the commissioner makes the acquisition subject to any conditions, restrictions, requirements or other limitations that would apply to the acquisition by a Tennessee bank holding company of a bank or bank holding company in the state where the out-of-state bank holding company making the acquisition has its principal place of business, but that would not apply to the acquisition of a bank or bank holding company in such state by a bank holding company all of the bank subsidiaries of which are located in that state.

(d) Upon the filing of a request, within thirty (30) days of the completed application, by the Tennessee bank, the Tennessee bank holding company or the out-of-state bank holding company, the commissioner shall hold a public hearing on the application. The public hearing shall be commenced within thirty (30) days of the filing of the request.

(e) The commissioner shall rule on any application submitted under this section not later than sixty (60) days following the date of submission a complete application or within sixty (60) days of the completion of the public hearing, whichever is later. If the commissioner fails to rule on the application within the time permitted, the failure to rule shall be deemed a final decision of the commissioner approving the application.

(f) Any person aggrieved by or directly affected by the action of the commissioner on an application hereunder may have a review by certiorari as provided in title 27, chapter 9.

Section 7. Tennessee Code Annotated, Section 45-12-107, is amended by deleting subsections (b) and (c) in their entirety.

Section 10. The commissioner is hereby granted the power to promulgate reasonable substantive and procedural rules and regulations to carry out the purposes of this chapter.

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Section 11. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it; for all other purposes this act shall take effect on January 1, 1991.

Rep. Rhinehart moved that Senate Bill No. 2148 be reset to the Calendar for Monday, March 12, 1990, which motion prevailed.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2515 -- Mental illness -- Adds certain counties to pilot program for reimbursing residential homes for mentally ill. Amends TCA 12-4-330.

Rep. Pruitt moved that House Bill No. 2515 be passed on third and final consideration.

Rep. Starnes moved adoption of General Welfare Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2515 by adding the following language at the end of Section 2:

No other counties shall be added as participants in this pilot program until the Department's report has been received by the General Assembly.

On motion, Amendment No. 1 was adopted.

Rep. Starnes moved adoption of General Welfare Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 2515 by deleting the date "1992" from the amendatory language of Section 2, and by substituting instead the date "1991".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Pruitt moved that House Bill No. 2515, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|---------------------------------|----|
| Ayes. | 94 |
| Noes. | 1 |
| Present and not voting. | 1 |

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Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Givens -- 1.

Representatives present and not voting were: Moody -- 1.

A motion to reconsider was tabled.

House Bill No. 2512 -- Wildlife Resources Commission -- Authorizes executive director to arrest for any criminal offense under certain conditions. Amends TCA 70-1-305.

On motion, House Bill No. 2512 was made to conform with Senate Bill No. 1888.

On motion, Senate Bill No. 1888, on same subject, was substituted for House Bill No. 2512.

Rep. Naifeh moved that Senate Bill No. 1888 be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

Rep. Naifeh moved that Senate Bill No. 1888 be passed on third and final consideration, which motion prevailed by the following vote:

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|---------------|----|
| Ayes. | 89 |
| Noes. | 5 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Halteman, Hassell, Haun, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom,

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Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 89.

Representatives voting no were: Duer, Gunnels, Harrill, Henry (Putnam), Moody -- 5.

A motion to reconsider was tabled.

***House Bill No. 1559 -- Public Funds and Financing --** Requires commissioner of conservation to develop a list of projects eligible for funding under natural resources trust fund; requires commissioner to make budget requests concerning such fund. Amends TCA, Title 11, Ch. 14, Pt. 3.

On motion, House Bill No. 1559 was made to conform with Senate Bill No. 1573.

On motion, Senate Bill No. 1573, on same subject, was substituted for House Bill No. 1559.

Rep. Bivens moved that Senate Bill No. 1573 be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

Rep. Bivens moved that Senate Bill No. 1573 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 95 |
| Noes | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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House Bill No. 2434 -- Conservation -- Revises approval process for local conservation easements. Amends TCA, Title 11, Ch. 10.

Rep. Wood moved that House Bill No. 2434 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Haldeman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2217 -- Hazardous Materials -- Enacts "Tennessee Hazardous Waste Reduction Act of 1990". Amends TCA, Title 68, Ch. 46.

Rep. Hillis moved that House Bill No. 2217 be passed on third and final consideration.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2217 in the first sentence of Section 3(a) by inserting the words "economically and technically" between the words "wherever" and "feasible".

AND FURTHER AMEND in Section 3(c) by inserting the words "large and small" between the words "each" and "hazardous".

AND FURTHER AMEND in Section 3(e) by deleting the following language:

"The state's goal is to reduce the hazardous waste that is generated within Tennessee by twenty-five percent (25%) before June 30, 1995".

and by substituting instead the following language:

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"The state's goal is to reduce the aggregate level of hazardous waste, adjusted for economic growth, that is generated within Tennessee by twenty-five percent (25%) before June 30, 1995; provided, however, that such waste shall not include wastewater streams containing hazardous wastes that are collected and treated in on-site wastewater treatment systems, the discharge of which is the subject of a NPDES permit."

AND FURTHER AMEND in Section 4(6) by inserting the words "reduction or" between the words "means the" and "elimination".

AND FURTHER AMEND in Section 4(7) by deleting the period at the end of the item and by adding the following language at the end of the item:

", and for which the generator is required to notify the department pursuant to such regulations. However, for the purpose of this act only, these terms shall not include such wastes which result from the clean-up of contaminated sites or spills of hazardous material".

AND FURTHER AMEND in the third sentence of Section 5(a) by deleting the number "1990" and by substituting instead the number "1989".

AND FURTHER AMEND at the end of the first sentence of Section 6(a)(2) by inserting the words "and to encourage hazardous waste reduction" between the word "generated" and the punctuation at the end of sentence.

AND FURTHER AMEND in Section 6(a)(7) by inserting the words "about generation of hazardous waste not requiring disclosure of proprietary information" between the words "information" and "as".

AND FURTHER AMEND in Section 6(d) between the first and second sentences of the subsection the following new sentence:

"Acts of God or other unforeseeable events beyond the control of the generator do not have to be considered in setting goals".

AND FURTHER AMEND in subsection (c) of Section 7 by deleting the word "January" wherever it appears and by substituting instead the word "March".

AND FURTHER AMEND in Section 8(c) by deleting the word "reviewed" and by substituting instead the words "subject to review".

AND FURTHER AMEND in Section 8 by deleting the first three sentences of subsection (a) and by substituting instead the following:

The department may review a plan or an annual progress report to determine whether the plan or progress report reasonably contains the elements specified under Section 6 and 7 of this act. If a generator fails to complete a plan containing the element of Section 6 or annual progress report reasonably containing the elements required by Section 7, the department may notify the generator of the specific deficiencies. The department also may specify a reasonable time frame, of not less than ninety (90) days, within which the generator shall modify the plan or progress report correcting the specified deficiencies.

AND FURTHER AMEND in Section 8(b) by deleting the following language:

"If the commissioner determines that a modified plan or progress report prepared pursuant to subsection (a) is inadequate",

and by substituting instead the following:

"If the commissioner determines that a plan or progress report has not been modified to address the deficiencies identified,".

AND FURTHER AMEND in the last sentence of Section 12 by deleting the words "such information" and, by substituting instead the words "the summary information on waste reduction activities submitted to the department".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hillis moved that House Bill No. 2217, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 2 |

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

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Representatives voting no were: Copeland, Moore (Shelby) -- 2.

A motion to reconsider was tabled.

House Bill No. 2125 -- Sunset Laws -- Extends termination date of commission on children and youth. Amends TCA, Title 4, Ch. 29; Title 37, Chs. 1, 3.

On motion, House Bill No. 2125 was made to conform with Senate Bill No. 2324.

On motion, Senate Bill No. 2324, on same subject, was substituted for House Bill No. 2125.

Rep. Garrett moved that Senate Bill No. 2324 be passed on third and final consideration.

On motion, Rep. Garrett withdrew Government Operations Committee Amendment No. 1.

Rep. Garrett moved that Senate Bill No. 2324 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harriell, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Bill No. 1617 -- Sunset Laws -- Extends termination date of department of safety. Amends TCA, Title 2, Ch. 6; Title 4, Chs. 3, 4, 7, 29; Title 8, Chs. 23, 34; Title 10, Ch. 7; Title 12, Ch. 2; Title 38, Chs. 6, 8; Title 39, Chs. 2, 6; Title 40, Ch. 33; Title 49, Ch. 4; Title 53, Ch. 11; Title 55; Title 56, Ch. 7; Title 66, Ch. 22; Title 67, Chs. 3, 4.

Rep. Garrett moved that House Bill No. 1617 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1617 by deleting Section 2 in its entirety and by substituting instead the following new section:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Department of safety, created by § 4-3-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1617, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1667 -- Sunset Laws -- Extends termination date of air pollution control board. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 18; Title 68, Chs. 25, 31.

Rep. Garrett moved that House Bill No. 1667 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1667 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Air pollution control board, created by § 68-25-104;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1667, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1670 -- Sunset Laws -- Extends termination date of state board for licensing contractors. Amends TCA, Title 4, Chs. 3, 29; Title 62, Chs. 6, 32, 37.

Rep. Garrett moved that House Bill No. 1670 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1670 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() State board for licensing contractors, created by § 62-6-104;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1670, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 92 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

House Bill No. 1672 -- Sunset Laws -- Extends termination date of department of health and environment. Amends TCA, Title 2, Ch. 2; Title 3, Ch. 15; Title 4, Chs. 3, 5, 29, 31; Title 5, Ch. 19; Title 7, Chs. 54, 57, 58, 81, 82; Title 8, Ch. 23; Title 10, Ch. 7; Title 11, Chs. 1, 11; Title 12, Ch. 4; Title 33, Ch. 1; Title 36, Chs. 1, 2; Title 37, Chs. 1, 3; Title 38, Ch. 7; Title 39, Chs. 4, 6; Title 41, Ch. 4; Title 42, Ch. 4; Title 43, Ch. 8; Title 44, Ch. 18; Title 49, Chs. 2, 4, 6, 7, 9; Title 50, Chs. 1, 3, 7; Title 53, Ch. 14; Title 55, Chs. 9, 10; Title 56, Ch. 32; Title 59, Ch. 8; Title 62, Chs. 3, 4, 17, 32, 34, 38; Title 63; Title 64, Ch. 6; Title 67, Chs. 4, 5; Titles 68, 69; Title 70, Ch. 4; Title 71, Chs. 2, 3, 5, 6.

Rep. Garrett moved that House Bill No. 1672 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1672 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Department of health and environment, created by § 4-3-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1672, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odem, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 2217 and have this statement entered in the Journal.

Rep. Joe Armstrong

REGULAR CALENDAR, CONTINUED

House Bill No. 1675 -- Sunset Laws -- Extends termination date of the Crag Font restoration commission. Amends TCA, Title 4, Chs. 13, 29.

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Rep. Garrett moved that House Bill No. 1675 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1675 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Crag Font restoration commission, created by § 4-13-403;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1675, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 94.

A motion to reconsider was tabled.

House Bill No. 1678 -- Sunset Laws -- Extends termination date of historical commission. Amends TCA, Title 4, Chs. 8, 11--13, 29; Title 5, Ch. 18; Title 7, Ch. 6; Title 10, Ch. 1.

Rep. Garrett moved that House Bill No. 1678 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1678 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Historical commission, created by § 4-11-102;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1678, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Bill No. 1689 -- Sunset Laws -- Extends termination date of water quality control board. Amends TCA, Title 4, Ch. 29; Title 60, Ch. 1; Title 68, Chs. 1, 13, 46; Title 69, Ch. 3; Title 70, Ch. 4.

Rep. Garrett moved that House Bill No. 1689 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1689 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Water quality control board, created by § 69-3-104;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1689, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wunningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

*House Bill No. 1690 -- Sunset Laws -- Extends termination date of department of conservation. Amends TCA, Title 4, Chs. 3, 11, 29, 34; Title 11; Title 41, Ch. 5; Title 43, Ch. 14; Title 54, Ch. 17; Title 57; Title 59, Chs. 8, 10; Title 60, Ch. 1; Title 62, Ch. 28; Title 64, Ch. 3; Title 67, Ch. 5; Title 69, Chs. 6--8; Title 70, Chs. 5, 8.

Rep. Garrett moved that House Bill No. 1690 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1690 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Department of conservation, created by § 4-3-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1690, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Bill No. 1691 -- Sunset Laws -- Extends termination date of solid waste disposal control board. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 54; Title 68, Chs. 31, 46.

Rep. Garrett moved that House Bill No. 1691 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill 1691 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

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SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Solid waste disposal control board, created by § 68-31-111;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Garrett moved that House Bill No. 1691, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrell, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE March 8, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1879; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 1879 -- Sunset Laws -- Extends termination date of commission on Indian affairs. Amends TCA, Title 4, Chs. 29, 34.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1700 -- Sunset Laws -- Extends termination date of commission on Indian affairs. Amends TCA, Title 4, Chs. 29, 34.

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On motion, House Bill No. 1700 was made to conform with Senate Bill No. 1879.

On motion, Senate Bill No. 1879, on same subject, was substituted for House Bill No. 1700.

Rep. Garrett moved that Senate Bill No. 1879 be passed on third and final consideration.

On motion, Rep. Garrett withdrew Government Operations Committee Amendment No. 1.

Rep. Garrett moved that Senate Bill No. 1879 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 2241 -- Scott County -- Prohibits medical waste incinerators.

On motion of Rep. Winningham, House Bill No. 2241 was withdrawn from the House.

House Bill No. 2242 -- Oneida -- Provides compensation of mayor and aldermen be set by board of mayor and aldermen. Amends Chapter 211, Private Acts of 1917, as amended.

Rep. Winningham moved that House Bill No. 2242 be passed on third and final consideration.

Rep. Winningham moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2242 by deleting sections 3 and 4 in their entirety and by substituting instead the following:

SECTION 3. This act shall have no effect unless it is approved by a majority of the number of qualified voters of the town voting in an election on the question of whether or not the act should be approved. Within thirty (30) days after this act becomes law, the county election commission of Scott County shall call an election for the town of Oneida, to be held not less than forty-five (45) days, nor more than sixty (60) days from the date of the call. The ballots used in the election shall have printed on them the substance of this act and voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act; provided, however, that nonresident property owners in the Town of Oneida may vote in such election. The cost of the election shall be paid by town of Oneida.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, as provided in Section 3, it shall be effective upon becoming a law, but for all other purposes the provisions of the act shall be effective only upon being approved as provided in Section 3.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Winningham moved that House Bill No. 2242, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes,

Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 95.

A motion to reconsider was tabled.

House Bill No. 2523 -- Bond Issues -- Authorizes bond issue for Oneida special school district.

Rep. Winningham moved that House Bill No. 2523 be passed on third and final consideration.

Rep. Winningham moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2523 by inserting the words "and all nonresident property owners in the Special School District" between the words "District" and "shall" in the third sentence of Section 4.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Winningham moved that House Bill No. 2523, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 97 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1847 -- State Symbols -- Designates honeybee as official agricultural insect. Amends TCA, Title 4, Ch. 1, Pt. 3.

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Rep. Crain moved that House Bill No. 1847 be reset to the next available space on the next available calendar, Wednesday, March 14, 1990, which motion prevailed.

CONSENT CALENDAR

House Resolution No. 0118 -- Memorials, Sports -- Honors Coach Cheryl Hudgins and the Coopertown Eagles girls' basketball team.

House Joint Resolution No. 0680 -- Memorials, Condolence -- Honors memory of George Washington Wilson.

House Joint Resolution No. 0682 -- Memorials, Public Service -- Honors Linda K. Miller for contributions to state of Tennessee.

House Joint Resolution No. 0683 -- Memorials, Congratulations -- Congratulates Christian Brownlee Currey for outstanding equestrian jumping skills.

House Joint Resolution No. 0684 -- Memorials, Public Service -- Honors Bob Broome for service as Knox County Trustee.

House Bill No. 2605 -- Madisonville -- Staggers and increases term of mayor and aldermen; establishes salary for such officials. Amends Chapter 663, Private Acts of 1911, as amended.

House Bill No. 2606 -- Campbell County -- Prohibits disposal of certain garbage.

House Bill No. 2607 -- Slayden -- Revises charter. Amends Chapter 346, Private Acts of 1913, as amended.

House Bill No. 2609 -- Rutherford County -- Authorizes emergency purchases without bids. Amends Chapter 421, Private Acts of 1943, as amended.

Senate Joint Resolution No. 0506 -- Memorials, Sports -- Congratulates Soddy-Daisy High School wrestlers, second place winners in State Wrestling Tournament.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

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Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Gallicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Molt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Resolution No. 119 out of order, which motion prevailed.

House Resolution No. 0119 -- Memorials, Recognition -- Honors senior workers during "Hire the Older Worker Week". by *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Crain moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that Senate Bill No. 2010 can be heard by the Local Government subcommittee of the State and Local Government Committee on Wednesday, March 14, 1990, which motion prevailed.

ANNOUNCEMENTS

The Clerk announced that pursuant to TCA 3-15-204, the Select Committee on Children and Youth has submitted its 1989 Annual Report to the members of the General Assembly and is on file in Clerk's office.

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SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 620: Rep(s). Pinion added as prime sponsor(s).

House Bill No. 1556: Rep(s). West added as prime sponsor(s).

House Bill No. 2177: Rep(s). Turner, B. added as prime sponsor(s).

House Bill No. 2217: Rep(s). Austin, Davidson, DePriest, Henry, D., Hobbs, Purcell, Shirley and Wheeler added as prime sponsor(s).

House Bill No. 2200: Rep(s). West added as prime sponsor(s).

House Bill No. 2222: Rep(s). Duer added as prime sponsor(s).

House Bill No. 2557: Rep(s). West added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Callicott was removed as sponsor of House Bill No. 1783.

INTRODUCTION OF RESOLUTIONS

*House Joint Resolution No. 0677 -- Constitutional Amendments -- Expunges call for Constitutional Convention from Journals of 89th and 90th General Assemblies. by *Rhinehart.

The Speaker referred House Joint Resolution No. 677 to the Labor and Consumer Affairs Committee.

*House Joint Resolution No. 0678 -- Memorials, Congress -- Urges study and relaxation of federal medical restrictions placed on intrastate motor vehicle operators. by *Bell.

The Speaker referred House Joint Resolution No. 678 to the Transportation Committee.

House Joint Resolution No. 0681 -- Naming and Designating -- Designates May 6, 1990, as "Ramp Festival Day". by *Davis R E.

The Speaker referred House Joint Resolution No. 681 to the Calendar and Rules Committee.

House Joint Resolution No. 0687 -- Memorials, Retirement -- Honors Annette Little. by *Naifeh.

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The Speaker referred House Joint Resolution No. 687 to the Calendar and Rules Committee.

House Joint Resolution No. 0688 -- Memorials, Retirement -- Honors retirement of William V. Huffman. by *Naifeh.

The Speaker referred House Joint Resolution No. 688 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

House Bill No. 2617 -- Weakley County -- Increases base salary of general sessions judge effective September 1, 1994. Amends Chapter 357, Private Acts of 1955. by *Herron, *Pinion.

Passed first consideration.

House Bill No. 2618 -- Lewis County -- Prohibits certain landfills within five miles of Buffalo River. by *Moore C.

Passed first consideration.

House Bill No. 2619 -- Lawrence County -- Prohibits landfills within two miles of Buffalo River. by *Moore C.

Passed first consideration.

House Bill No. 2620 -- Marion County -- Establishes salary of juvenile court judge. Amends Chapter 314, Private Acts of 1982. by *Murray, *Rhinehart.

Passed first consideration.

House Bill No. 2621 -- Marion County -- Removes salary supplement for general sessions judges. Repeals Chapter 345, Private Acts of 1982. by *Murray, *Rhinehart.

Passed first consideration.

*House Bill No. 2622 -- Highway Signs -- Designates certain highways in Gibson County as Blue Star Memorial Highway. Amends TCA, Title 54, Ch. 5, Pt. 10. by *Davis R E.

Passed first consideration.

*House Bill No. 2623 -- Utilities, Utility Districts -- Provides for popular election of board of commissioners of certain utility districts within Gibson County. Amends TCA, Title 7. by *Davis Ray.

Passed first consideration.

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HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

House Bill No. 2610 -- Alamo -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2611 -- McNairy County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2612 -- Game and Fish Laws -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2613 -- County Officers -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2614 -- Madison County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2615 -- Altamont -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2616 -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.**

DELAYED BILLS REFERRED

Pursuant to Rule No. 78, House Bill(s) No(s). 2612, 2613 and 2616, was/were referred to the Delayed Bills Committee.

REPORT OF DELAYED BILLS COMMITTEE

March 8, 1990

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following general bill to be heard by the appropriate standing committee: House Bill No. 2593.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

REPORT OF DELAYED BILLS COMMITTEE

March 8, 1990

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following general bill to

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be heard by the appropriate standing committee: House Bill No. 2598.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

REPORT OF DELAYED BILLS COMMITTEE
March 8, 1990

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following general bill to be heard by the appropriate standing committee: House Bill No. 2603.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

REPORT OF DELAYED BILLS COMMITTEE
March 8, 1990

Pursuant to Rule No. 78, as suspended, having received the approval of the local delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of local application to be heard by the appropriate standing committee: House Bill No. 2608.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

REPORT OF DELAYED BILLS COMMITTEE
March 8, 1990

Pursuant to Rule No. 78, as suspended, having received the approval of the local delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of local application to be heard by the appropriate standing committee: House Bill No. 2612.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

REPORT OF DELAYED BILLS COMMITTEE
March 8, 1990

Pursuant to Rule No. 78, as suspended, having received the approval of the local delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of

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local application to be heard by the appropriate standing committee: House Bill No. 2613.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

**REPORT OF DELAYED BILLS COMMITTEE
March 8, 1990**

Pursuant to Rule No. 78, as suspended, having received the approval of the local delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of local application to be heard by the appropriate standing committee: House Bill No. 2616.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 8, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2611.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 8, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 12, 1990: House Bill(s) No(s). 2611; also, House Joint Resolution(s) No(s). 687 and 688.

PHILLIPS, Chairman.

**ENGROSSED BILLS
March 8, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1607; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 651, 655, 656, 657, 658, 659, 660, 661, 662, 663 and 664; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1807, 1812 and 2223; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 628; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1954; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 667, 669 and 670; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 8, 1990 -- SEVENTY-FIFTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 8, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1849, 1919, 1922 and 2104; also, House Joint Resolution(s) No(s). 649 and 650; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 8, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 823, 1585, 1607, 1623, 1802, 1893, 1912, 1920, 1971, 2008, 2092, 2121, 2122, 2143, 2278, 2306, 2339 and 2596; also Senate Joint Resolution(s) No(s) 486, 494, 495, 496, 497, 498, 499, 503, 504, 507 and 508; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 8, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 510 and 511; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0510 -- Memorials, Recognition -- Recognizes 50th anniversary of East Ridge Baptist Church.

Senate Joint Resolution No. 0511 -- Memorials, Condolence -- Honors memory of Elizabeth Patten.

MESSAGE FROM THE SENATE

March 8, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1718, 1720, 1721, 1728, 1738, 1873, 2144, 2160, 2162 and 2372; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1718 -- Sunset Laws -- Extends termination date of presidential landmark commission. Amends TCA, Title 4, Chs. 11, 13, 29.

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Senate Bill No. 1720 -- Sunset Laws -- Extends termination date of primary health centers advisory board. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 1.

Senate Bill No. 1721 -- Sunset Laws -- Extends termination date of board of dietician/nutritionist examiners. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 25.

Senate Bill No. 1728 -- Sunset Laws -- Extends termination date of wastewater financing board. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 13.

***Senate Bill No. 1738 -- Sewage --** Authorizes use of certain sewage disposal systems which meet certain standards. Amends TCA, Title 68.

***Senate Bill No. 1873 -- Taxes, Sales --** Exempts certain servicemen from sales tax under certain situations. Amends TCA 67-6-303.

***Senate Bill No. 2144 -- Cemeteries --** Exempts certain counties from liability insurance requirement for immunity for governing bodies of certain nonprofit cemetery corporations. Amends TCA 48-58-601.

***Senate Bill No. 2160 -- Corporations --** Revises procedures for filing annual corporate reports. Same as SB 2521. Amends TCA, Title 48, Chs. 26, 66; Title 67, Ch. 4, Pt. 9.

Senate Bill No. 2162 -- Insurance Companies, Agents, Brokers -- Revises requirements for fraternal benefit societies. Amends TCA 56-4-202; Title 56, Ch. 25.

***Senate Bill No. 2372 -- Process, Service of --** Authorizes certain county legislative bodies to set fees for private process servers. Amends TCA, Title 8, Ch. 8.

REPORT OF CHIEF ENGROSSING CLERK

March 8, 1990

MR SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1849, 1919, 1922 and 2104; and House Joint Resolution(s) No(s). 649 and 650; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 8, 1990

MR. SPEAKER I am directed by the Governor to return herewith: House Bill(s) No(s). 1578, 1817, 1979, 2188, 2195, 2410, 2579 and

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2592; also, House Joint Resolution(s) No(s). 633 and 645; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENGROSSED BILLS
March 8, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1617, 1620, 1624, 1625, 1663, 1667, 1670, 1672, 1675, 1678, 1689, 1690, 1691, 1868, 2217, 2242, 2434, 2515, 2523, 2605, 2606, 2607 and 2609; also, House Joint Resolution(s) No(s). 680, 682, 683 and 684; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

On motion of Rep. Naifeh, the House adjourned until 5:00 p.m., Monday, March 12, 1990.